

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

STATE OF ALABAMA, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF COMMERCE, et al.,

Defendants,

DIANA MARTINEZ, et al.,

Defendant-Intervenors,

and

COUNTY OF SANTA CLARA,
CALIFORNIA, et al.,

Defendant-Intervenors.

Case No.: 2:18-cv-00772-RDP

**OPPOSED MOTION FOR LEAVE
TO INTERVENE AS
DEFENDANTS
(Fed. R. Civ. P. 24)**

Proposed Defendant-Intervenors the States of New York, California, Colorado,

Connecticut, the District of Columbia, Illinois, Massachusetts, Minnesota, Nevada, New Jersey,

New Mexico, Oregon, Rhode Island, Vermont, Virginia, and Washington; the cities and counties

of Cameron County, Texas; Central Falls, Rhode Island; Chicago, Illinois; Hidalgo County,

Texas; Monterey County, California; New York, New York; Philadelphia, Pennsylvania;

Providence, Rhode Island; and Seattle, Washington; and the United States Conference of

Mayors, respectfully request that the Court grant them leave to intervene as defendants in this

action as of right pursuant to Rule 24(a)(2) of the Federal Rules of Civil Procedure, or in the

alternative, grant them permissive intervention pursuant to Rule 24(b)(1)(B) of the Federal Rules of Civil Procedure. Before filing this motion, counsel for the Proposed Defendant-Intervenors contacted the existing parties to determine their position on this motion to intervene. Plaintiff the State of Alabama and Plaintiff Representative Brooks have indicated that they oppose this motion to intervene. The Federal Defendants have advised that they take no position on this motion. The Martinez Defendant-Intervenors and the Local Government Defendant-Intervenors do not oppose intervention.

In support of this motion, the Proposed Defendant-Intervenors rely on the accompanying Memorandum of Law, the Proposed Answer filed with this motion in compliance with Fed. R. Civ. P. 24(c), the pleadings and papers on file in this action, and any argument and evidence that is presented on the hearing of this motion.

DATED: August 12, 2019

Respectfully submitted,

LETITIA JAMES
Attorney General of the State of New York

/s/ Joyce White Vance
Joyce White Vance
101 Paul W. Bryant Drive
Tuscaloosa, AL 35487
jvance@law.ua.edu

By: /s/ Matthew Colangelo
Matthew Colangelo*
Chief Counsel for Federal Initiatives
Elena Goldstein,* *Senior Trial Counsel*
Elizabeth Morgan*
Assistant Attorney General

/s/ Barry A. Ragsdale
Barry A. Ragsdale
SIROTE & PERMUTT, PC
2311 Highland Avenue South
Birmingham, AL 35205
Phone: (205) 930-5100
Fax: (205) 930-5101
bragsdale@sirote.com

Ajay Saini,* *Assistant Attorney General*
Office of the New York State Attorney General
28 Liberty Street
New York, NY 10005
Phone: (212) 416-6057
Matthew.Colangelo@ag.ny.gov
Attorneys for the State of New York

XAVIER BECERRA
Attorney General of California

/s/ Gabrielle D. Boutin
Gabrielle D. Boutin*
Deputy Attorney General
Anthony R. Hakl
Supervising Deputy Attorney General
R. Matthew Wise, *Deputy Attorney General*
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Phone: (916) 210-6053
Gabrielle.Boutin@doj.ca.gov

Attorneys for the State of California

WILLIAM TONG
Attorney General of Connecticut

Mark F. Kohler, *Assistant Attorney General*
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06106
Phone: (860) 808-5020
Mark.Kohler@ct.gov

Attorneys for the State of Connecticut

PHILIP J. WEISER
Attorney General of the State of Colorado

Eric R. Olson, *Solicitor General*
1300 Broadway, 10th Floor
Denver, CO 80203
Phone: (720) 508-6548
eric.olson@coag.gov

Attorneys for the State of Colorado

KARL A. RACINE
Attorney General for the District of Columbia

Valerie M. Nannery
Assistant Attorney General
Public Advocacy Division
Office of the Attorney General for the District
of Columbia
441 4th Street, N.W., Suite 630 South
Washington, DC 20001
Phone: (202) 724-6610
valerie.nannery@dc.gov

Attorneys for the District of Columbia

KWAME RAOUL

Attorney General of the State of Illinois

Jeff VanDam, *Public Interest Counsel*
Office of the Illinois Attorney General
100 West Randolph Street, 12th Floor
Chicago, IL 60601
Phone: (312) 814-1188
JVanDam@atg.state.il.us

Attorneys for the State of Illinois

KEITH ELLISON

Attorney General of the State of Minnesota

Jacob Campion, *Assistant Attorney General*
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 1100
St. Paul, MN 55101-2128
Phone: (651) 757-1459
jacob.campion@ag.state.mn.us

Attorneys for the State of Minnesota

GURBIR S. GREWAL

Attorney General of the State of New Jersey

Glenn J. Moramarco
Assistant Attorney General
Katherine A. Gregory
Deputy Attorney General
Office of the Attorney General
Richard J. Hughes Justice Complex
25 Market Street, 8th Floor, West Wing
Trenton, NJ 08625-0080
Phone: (609) 292-4925
Glenn.Moramarco@law.njoag.gov

Attorneys for the State of New Jersey

MAURA HEALEY

Attorney General of the Commonwealth of Massachusetts

By: /s/ Ann E. Lynch

Ann E. Lynch,* *Assistant Attorney General*
Miranda Cover,* *Assistant Attorney General*
Public Protection & Advocacy Bureau
Massachusetts Attorney General's Office
One Ashburton Place
Boston, MA 02108
Phone: (617) 727-2200
Ann.lynch@mass.gov

Attorneys for the Commonwealth of Massachusetts

AARON D. FORD

Attorney General of the State of Nevada

Heidi Parry Stern, *Solicitor General*
Office of the Nevada Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101
Phone: (775) 684-1100
HStern@ag.nv.gov

Attorneys for the State of Nevada

HECTOR BALDERAS

Attorney General of New Mexico

Tania Maestas

Chief Deputy Attorney General
Nicholas M. Sydow, *Civil Appellate Chief*
Jennie Lusk
Bureau Chief, Civil Rights Bureau
408 Galisteo Street
Santa Fe, NM 87501
Phone: (505) 490-4060
tmaestas@nmag.gov

Attorneys for the State of New Mexico

ELLEN F. ROSENBLUM
Attorney General of the State of Oregon

Nicole deFever
Scott Kaplan
 Senior Assistant Attorney General
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301
Phone: (971) 673-1800
Nicole.defever@doj.state.or.us

Attorneys for the State of Oregon

THOMAS J. DONOVAN, JR.
Attorney General of the State of Vermont

Benjamin D. Battles, *Solicitor General*
Julio A. Thompson
 Assistant Attorney General, Civil Rights Unit
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609-1001
Phone: (802) 828-5500
Benjamin.Battles@vermont.gov

Attorneys for the State of Vermont

ROBERT W. FERGUSON
Attorney General of the State of Washington

Laura K. Clinton, *Assistant Attorney General*
Andrew R. W. Hughes
 Assistant Attorney General
Complex Litigation Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
Phone: (206) 233-3383
LauraC5@atg.wa.gov

Attorneys for the State of Washington

PETER F. NERONHA
Attorney General of the State of Rhode Island

Justin Sullivan
 Special Assistant Attorney General
150 South Main Street
Providence, RI 02903
Phone: (401) 274-4400
jjsullivan@riag.ri.gov

Attorneys for the State of Rhode Island

MARK R. HERRING
Attorney General of the Commonwealth of Virginia

Michelle S. Kallen, *Deputy Solicitor General*
Toby J. Heytens, *Solicitor General*
Martine E. Cicconi, *Deputy Solicitor General*
Brittany M. Jones, *John Marshall Fellow*
Office of the Attorney General
202 North Ninth Street
Richmond, VA 23219
Phone: (804) 786-7240
SolicitorGeneral@oag.state.va.us

Attorneys for the Commonwealth of Virginia

MATTHEW JERZYK
City Solicitor for the City of Central Falls
City of Central Falls
580 Broad Street
Central Falls, RI 02863
Phone: (401) 727-7422
MJerzyk@CentralFallsRI.us

Attorney for the City of Central Falls

MARK A. FLESSNER
Corporation Counsel of the City of Chicago

Stephen Kane, *Deputy Corporation Counsel*
Rebecca Hirsch, *Assistant Corporation
Counsel*
City of Chicago Law Department
Affirmative Litigation Division
121 N. LaSalle Street, Room 600
Chicago, IL 60602
Phone: (312) 744-6934
Stephen.kane@cityofchicago.org

Attorneys for the City of Chicago

MARCEL S. PRATT
City Solicitor of the City of Philadelphia

Benjamin H. Field
Divisional Deputy City Solicitor
City of Philadelphia Law Department
1515 Arch Street, 17th Floor
Philadelphia, PA 19102
Phone: (215) 683-5003
marcel.pratt@phila.gov

Attorneys for the City of Philadelphia

PETER S. HOLMES
Seattle City Attorney

Gary T. Smith, *Assistant City Attorney*
Erica R. Franklin, *Assistant City Attorney*
701 Fifth Avenue, Suite 2050
Seattle, WA 98104-7097
Phone: (206) 684-8200
Gary.Smith@seattle.gov

Attorneys for the City of Seattle

ZACHARY W. CARTER
Corporation Counsel of the City of New York

Tonya Jenerette
Deputy Chief for Strategic Litigation
100 Church Street
New York, NY 10007
Phone: (212) 356-4055
tjeneret@law.nyc.gov

Attorneys for the City of New York

JEFFREY DANA
City Solicitor of the City of Providence
City of Providence
444 Westminster Street
Providence, RI 02903
Phone: (401) 680-5333
Jdana@providdenceri.gov

Attorney for the City of Providence

ROLANDO L. RIOS
*Special Counsel for Cameron and Hidalgo
Counties*
110 Broadway, Suite 355
San Antonio, TX 78205
Phone: (210) 222-2102
rios@rolandorioslaw.com

*Attorney for Cameron County, Texas and
Hidalgo County, Texas*

CHARLES J. McKEE
Monterey County Counsel

William M. Litt, *Deputy County Counsel*
Office of the County Counsel
County of Monterey
168 West Alisal Street, 3rd Floor
Salinas, CA 93901
Phone: (831) 755-5045
McKeeCJ@co.monterey.ca.us

Attorneys for Monterey County

UNITED STATES CONFERENCE OF
MAYORS

John Daniel Reaves, *General Counsel*
U.S. Conference of Mayors
1750 K Street NW, 11th Floor
Washington, DC 20006
Phone: (202) 887-1100
jdreavesoffice@gmail.com

Attorney for the U.S. Conference of Mayors

**Application for admission pro hac vice forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2019, I electronically filed the foregoing Motion for Leave to Intervene as Defendants, a supporting Memorandum of Law, and a proposed Answer in Intervention with the Clerk of the District Court using the CM/ECF system, which will send notification of such filing to all counsel of record in this proceeding.

I also hereby certify that I have caused to be mailed by First Class Mail the document to the following non-CM/ECF participant:

Representative Morris J. Brooks, Jr.
2101 W. Clinton Ave.
Suite 302
Huntsville, AL 35805

DATED: August 12, 2019

/s/ Barry A. Ragsdale
Barry A. Ragsdale
SIROTE & PERMUTT, PC
2311 Highland Avenue South
Birmingham, AL 35205
Phone: (205) 930-5100
Fax: (205) 930-5101
bragsdale@sirote.com